

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, July 14, 2003

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Kirk, Raser, Senhauser, Spraul-Schmidt, Sullebarger, and Wallace present. Absent: Bloomfield, Clement, and Kreider

MINUTES

The minutes of the Monday, June 23, 2003 meeting were unanimously approved (motion by Sullebarger, second by Raser).

CERTIFICATE OF APPROPRIATENESS, 327 WEST FOURTH STREET, WEST FOURTH STREET HISTORIC DISTRICT

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness for the construction of a new storefront at 327 West Fourth Street, a noncontributing building to the West Fourth Street Historic District. Ms. Kellam explained that the Board had reviewed and approved a Certificate of Appropriateness for the rehabilitation of 327-345 West Fourth Street in December 2002. The storefront is currently framed out (without a building permit) and is different from the design approved by the Board.

Ms. Kellam stated the storefront should be contemporary, but not compete with the surrounding historic properties. The new design is more complex than the original and includes multi-paned sidelights and doors; the revised design does not conflict the historic district guidelines. Ms. Kellam confirmed for Ms. Sullebarger that the applicant is proposing a central entrance with brushed aluminum double doors.

Jay Voss of Middle Earth Properties was present to represent his brother, Tim Voss, owner, developer, and applicant. Ms. Spraul-Schmidt questioned why the Board was being asked to approve work that was completed without a permit and of a different design than that approved by the Board. Mr. Voss explained that when their contractor produced his detailed drawings, he deviated from the original design; however, Middle Earth's staff believed the new design would meet the guidelines. He also explained that there was miscommunication within his company as to who was to obtain the building permit.

Ms. Sullebarger complimented the design as built stating it was an improvement over the original. Mr. Raser echoed that the second design was superior to the first and added that the transoms and double doors create proportions that are more in keeping with the neighboring buildings.

BOARD ACTION

The Board voted unanimously (motion by Raser, second by Sullebarger) to approve a Certificate of Appropriateness for the construction of the new revised storefront design for 327 West Fourth Street as proposed.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 456
MILTON STREET, PROSPECT HILL HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness for the construction of a single-family house on a vacant lot at 456 Milton Street within the Prospect Hill Historic District.

Three neighboring property owners and the architect attended the pre-hearing meeting held on July 8, 2003. Mr. Les Bradford of 457 Milton Street was concerned with the overall massing and height of the design and the affect of the construction on the hillside and infrastructure. The other two neighbors were not opposed to the project. The Prospect Hill Neighborhood Association reviewed the project, although it provided no comments.

Ms. Kellam described the three-story, single family dwelling as having a brick veneer on all the exterior walls, a roof deck, and a two-car garage. The garage will feature wood carriage style doors facing the front elevation. The applicant is proposing aluminum clad, 2/2 wood sash windows and clad French and sliding doors.

The proposed design generally meets the historic district guidelines; however, staff voiced concern regarding the division of the bays on the second and third floors of the main house and the fact that they do not align from floor to floor. Although neighbors have questioned the corner turret, contending they are not found elsewhere in the district, staff felt it is appropriate to the late 19th Century residential buildings.

Ms. Kellam explained that since the staff report was written, the width of the house has been narrowed and the building has been shifted on the lot; therefore, the setbacks have changed. Front yard and side yard variances to the Zoning Code are still required.

Applicant/architect Todd Lang was present to respond to questions from the Board. Mr. Lang stated that in considering comments from the neighbors and staff, they modified the design to have two French doors on the lower level aligned with two windows above. He showed new elevation drawings dated July 14, 2003 incorporating the changes. The house has been reduced in width, so the ratio of mass to opening is more in keeping with what is on the street. The house has also been repositioned on the lot to better relate it to Young Street steps and neighboring 500 Milton Street. He confirmed that the right-of-way for the Young Street steps has been abandoned and relocating the house better provides for underground utilities in the right-of-way.

BOARD ACTION

The Board voted (motion by Sullebarger, second by Raser) to take the following actions:

1. Approve a Certificate of Appropriateness for the construction of a new single-family house at 456 Milton Street as presented to the Historic Conservation Board in the revised plans dated July 14, 2003; and
2. Approve front and side yard variances to the Zoning Code as necessary to allow for the construction of the three-story single-family residence at 456 Milton Street as presented to the Historic Conservation Board in the revised plans dated July 14, 2003 finding that such relief from the literal implication of the Zoning Code:

- a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
- c) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 500 MILTON STREET, PROSPECT HILL HISTORIC DISTRICT

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness for the construction of a single-family residence at 500 Milton Street, within the Prospect Hill Historic District.

A pre-hearing was held in on July 8, 2003. Les Bradford of 457 Milton Street voiced concern with the use of block instead of stone at the base and the bracket details at the top of the front elevation. Tim Crotty of 505 Boal had questions regarding his views; however, he was not opposed to the project. Kim Klosterman, 515-519 Milton Street, was not opposed to the project. The Prospect Hill Neighborhood Association provided no comments after reviewing the project.

Ms. Kellam stated that overall the design meets the guidelines. Staff had one issue concerning the transoms above the 1/1 sash windows. Applicant/architect Todd Lang confirmed that he had increased the size of the double hung windows to 6'-6" in the masonry walls and removed the transoms. As a result, the amount of glass is reduced and verticality is emphasized. The bay windows retain their transoms, but their heads will align with others on the front façade.

Barbara Carr of 501 Boal Street was present to address the Board. She stated that she had no questions regarding the aesthetics, but had concern regarding the easement between the steps and the buildings. She explained that two sewer lines come down from Boal Street (one from her residence) and run into the main sewer line on Milton Street. She questioned if everything would be redirected if there were an easement. Don Beck replied that there is no current easement for those sewer lines. He purchased the step right-of-way and the 3' property easement with the intent of correcting the situation. Mr. Senhauser stated that that the situation is not within the Board's purview, but considered it relevant and suggested that it should be resolved between the property owners and MSD.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Spraul-Schmidt) to take the following actions:

1. Approve a Certificate of Appropriateness for the construction of a new single-family house at 500 Milton Street with the final plans and any revisions to be reviewed and approved by the Urban Conservator prior to issuing a Certificate of Appropriateness and a building permit; and
2. Approve front, side and rear yard variances to the Zoning Code as necessary to allow for the construction of the three-story single-family residence at 500 Milton Street finding that such relief from the literal implication of the Zoning Code:

- a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
- c) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

BY-LEAVE ITEM, CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1618 SYCAMORE STREET, PROSPECT HILL HISTORIC DISTRICT

The applicant/owner's son, Tre Sheldon, was present to request this project be heard as a by-leave. The Board tabled this item at its last meeting on June 23, 2003 to allow the applicant time to address the building code issues, including deck access, property line windows, fire separation, roof configurations, etc. Ms. Sullebarger moved, with Mr. Raser seconding the motion, that this item be taken from the table for purposes of discussion.

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness and zoning variance for modifications to the residence at 1618 Sycamore Street, a contributing resource within the Prospect Hill Historic District. The project is being undertaken to allow handicap access for the owner. The owner will have offices on the first floor with a residence on the upper floors. The proposal includes the construction of an attached garage, an elevator tower in the rear of the property, a one-story penthouse and a top deck.

Ms. Cowden described changes with the current application. The footprint of the garage has been modified to eliminate the inset at the northeast corner. In addition, a shed roof replaces the original gable roof on the main building and the garage. This removes the large overhang that resulted in water draining onto the adjacent property to the north of the garage. In an effort to address a necessary fire separation, the windows on the south elevation of the penthouse have been removed. The north elevation of the penthouse now shows a single 1/1 sash window that has the same general dimensions as the window below, but are misaligned.

The roof deck is now fitted with a simple metal deck rail in keeping with the ornamental railing on the front of the property. The penthouse still shows a gabled roof oriented differently from the roof on the main building. Staff had an additional concern that the height of the penthouse relative to adjacent properties still cannot be determined.

Staff has spoken with the B&I plans examiners who indicate that some additional revision will be necessary to the fire escape on the north elevation of the building to provide two means of egress to the penthouse and deck additions. Furthermore, portions of the frame addition may have to be of masonry construction to meet the building code. Mr. Sheldon reported that project designer Michael Garrison had spoken to B&I about these and other issues, but was not able to attend this meeting.

Mr. John Senhauser stated that while the Board would be happy to review the project, it is impossible for the Board to act on the application when there are more fundamental building code issues outstanding. The Board had tabled the item to

allow the designer time to address these elements, but they have not been resolved. He encouraged the applicant to retain someone who is familiar with codes in an urban setting to assist them. Mr. Sheldon said that a family member who is a licensed architect had completed some initial drawings, but was unable to continue the project. Mr. Kirk explained that once the building code issues are known, the Historic Conservation Office staff could then assist them in addressing the historic district guidelines.

Mr. Senhauser stated that they have made changes in the right direction, but it is not the Board's role to design a project for the applicant. Mr. Raser noted that if budget is a concern, it is of even greater importance to retain a design professional who can offer alternatives.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Spraul-Schmidt) to table the item pending revisions to the design to conform to the City of Cincinnati Building Code and the Prospect Hill Historic District Guidelines.

OTHER BUSINESS

Urban Conservator William Forwood stated that City Council passed a resolution urging the Historic Conservation Board to grant conditional use variances in Over-the-Rhine to allow the development of artist studios. He explained that the neighborhood's residential zones limit or prohibit in-home occupations based on square footage and on-site sales. Although no such application has yet been submitted, each would be heard on a case-by-case basis.

In response to Mr. Senhauser, Mr. Forwood stated that the Zoning Board of Appeals upheld the Board's decision regarding the parking lots at 13th and Jackson Streets. The Solicitor's Office had indicated that if the owner was able to document a negative project cash flow, he could ask the Board to reconsider his application. If B & I takes action against any outstanding zoning violation on the site, the owner will likely return to the Board or go directly to court since the Board's denial has already been upheld by the Zoning Board of Appeals.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date